

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1600 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 5-10.3-3-1 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The board is
- 8 composed of ~~five (5)~~ **thirteen (13)** trustees. ~~appointed by~~
- 9 **(b) The speaker of the house of representatives shall appoint the**
- 10 **following trustees:**
- 11 **(1) Two (2) members of the house of representatives. The**
- 12 **trustees appointed under this subdivision:**
- 13 **(A) may not be members of the same political party; and**
- 14 **(B) are nonvoting trustees.**
- 15 **(2) Two (2) individuals who have knowledge in the design,**
- 16 **administration, or management of retirement plans. The**
- 17 **trustees appointed under this subdivision:**
- 18 **(A) may not be members of the same political party;**
- 19 **(B) are not required to be members of the fund; and**
- 20 **(C) are voting trustees.**
- 21 **(c) The president pro tempore of the senate shall appoint the**
- 22 **following trustees:**
- 23 **(1) Two (2) members of the senate. The trustees appointed**
- 24 **under this subdivision:**

- 1 (A) may not be members of the same political party; and  
 2 (B) are nonvoting trustees.
- 3 (2) Two (2) individuals who have knowledge in the design,  
 4 administration, or management of retirement plans. The  
 5 trustees appointed under this subdivision:
- 6 (A) may not be members of the same political party;  
 7 (B) are not required to be members of the fund; and  
 8 (C) are voting trustees.
- 9 (d) The governor shall appoint five (5) trustees:  
 10 (1) one (1) of whom must be a member of the fund with at least  
 11 ten (10) years of creditable service; and  
 12 (2) not more than three (3) of whom may be members of the same  
 13 political party.
- 14 (b) The governor shall fill by appointment vacancies on the board  
 15 in the manner described in subsection (a) of this section.
- 16 (c) In making the appointments under this subsection, (a); the  
 17 governor may consider whether at least one (1) trustee is a retired  
 18 member of the fund.
- 19 (e) The appointing authority of a trustee shall fill a vacancy on  
 20 the board with an individual who possesses the same required  
 21 qualifications as the trustee who vacated membership on the  
 22 board.
- 23 SECTION 2. IC 5-10.3-3-1.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) Beginning July 1,  
 26 2001, and every fourth year thereafter, the speaker of the house of  
 27 representatives shall designate a trustee appointed under section  
 28 1(b)(1) of this chapter as the chair of the board. The trustee  
 29 designated as chair under this subsection serves as chair for two (2)  
 30 years. If the trustee designated as chair under this subsection  
 31 vacates the trustee's position on the board, the speaker of the house  
 32 of representatives shall designate another trustee appointed under  
 33 section 1(b)(1) of this chapter as chair.
- 34 (b) Beginning July 1, 2003, and every fourth year thereafter, the  
 35 president pro tempore of the senate shall designate a trustee  
 36 appointed under section 1(c)(1) of this chapter as the chair of the  
 37 board. The trustee designated as chair under this subsection serves  
 38 as chair for two (2) years. If the trustee designated as chair under  
 39 this subsection vacates the trustee's position on the board, the  
 40 president pro tempore of the senate shall designate another trustee  
 41 appointed under section 1(c)(1) of this chapter as chair.
- 42 SECTION 3. IC 5-10.3-3-2 IS AMENDED TO READ AS  
 43 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. ~~Term of Office.~~  
 44 (a) Each trustee who is a voting trustee is entitled to serve a term of  
 45 four (4) years beginning on July 1 following appointment and until his  
 46 a successor is qualified.
- 47 (b) A nonvoting trustee serves at the pleasure of the trustee's

1 **appointing authority. A nonvoting trustee vacates the trustee's**  
 2 **position on the board if the trustee is no longer a member of the**  
 3 **house of the general assembly from which appointed.**

4 SECTION 4. IC 5-10.3-3-3 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. ~~Oath of Office;~~  
 6 ~~Qualification for Membership.~~ **(a) This section applies only to a**  
 7 **trustee who is a voting trustee.**

8 **(b)** Each trustee shall take an oath of office, which must be:

- 9 (1) subscribed to by the trustee making it;
- 10 (2) certified by the officer before whom it is taken; and
- 11 (3) filed with the secretary of state.

12 A trustee is qualified for membership on the board when the oath is  
 13 filed with the secretary of state.

14 SECTION 5. IC 5-10.3-3-4 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a) This**  
 16 **subsection applies only to a trustee who is a voting trustee.** Each  
 17 trustee is entitled to compensation of four hundred fifty dollars (\$450)  
 18 on October 1, January 1, April 1, and June 30. In addition, the board  
 19 shall reimburse each trustee for necessary expenses incurred through  
 20 service on the board.

21 **(b) This subsection applies only to a trustee who is a nonvoting**  
 22 **trustee. A trustee is entitled to receive the same per diem, mileage,**  
 23 **and travel allowances paid to individuals serving as legislative**  
 24 **members of interim study committees established by the legislative**  
 25 **council. Amounts paid under this subsection shall be paid from**  
 26 **appropriations made to the legislative council or the legislative**  
 27 **services agency.**

28 SECTION 6. IC 5-10.3-3-5 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board  
 30 shall hold an annual meeting each November and regular meetings at  
 31 least quarterly in each year. Special meetings may be held as  
 32 considered necessary by the board **or on the call of the chair.**

33 (b) Meetings may be held in the general office or in such other  
 34 places in the state as are designated by the board **or the chair.**

35 (c) All meetings must be open to the public. The board shall keep  
 36 a record of its proceedings.

37 SECTION 7. IC 5-10.3-3-6 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. ~~Voting; Quorum.~~  
 39 ~~Three (3) Seven (7)~~ **(7)** trustees constitute a quorum for the transaction of  
 40 business. ~~Each trustee is entitled to one (1) vote on the board. A~~  
 41 ~~majority vote~~ **The affirmative votes of five (5) voting trustees** is  
 42 sufficient for adoption of a resolution or other action at regular or  
 43 special meetings."

44 Page 2, after line 15, begin a new paragraph and insert:

45 "SECTION 10. [EFFECTIVE UPON PASSAGE] **(a) As used in**  
 46 **this SECTION, "board" refers to the board of trustees of the**

1 public employees' retirement fund established under IC 5-10.3-3,  
2 as amended by this act.

3 (b) Not later than June 1, 2001, the speaker of the house of  
4 representatives shall appoint the trustees provided for in  
5 IC 5-10.3-3-1(b), as amended by this act.

6 (c) Not later than June 1, 2001, the president pro tempore of the  
7 senate shall appoint the trustees provided for in IC 5-10.3-3-1(c),  
8 as amended by this act.

9 (d) Notwithstanding IC 5-10.3-3-1.5, as added by this act, not  
10 later than June 1, 2001, the speaker of the house of representatives  
11 shall designate the chair of the board from among the trustees  
12 appointed under subsection (b) with the qualifications required by  
13 IC 5-10.3-3-1.5, as added by this act. The chair designated under  
14 this subsection serves as chair, subject to IC 5-10.3-3-2, as  
15 amended by this act, until July 1, 2003.

16 (e) This SECTION expires July 1, 2003.

17 SECTION 11. An emergency is declared for this act."

18 Renumber all SECTIONS consecutively.

(Reference is to HB 1600 as printed February 28, 2001.)

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Representative Smith M